

we will do the best we can to keep things moving.

If the Senator can give us some idea as to how late the Senate leader wants to go this evening, it would be appreciated.

Mr. McCONNELL. I say to my friend from Nevada, I am sure that later in the day we will be able to provide some further information on that matter.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m., with the time to be equally divided in the usual form.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask that the time be charged equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The minority whip.

#### MARTIN LUTHER KING BIRTHDAY AND CIVIL RIGHTS

Mr. REID. Mr. President, last night my wife and I watched the replaying of the speech of Dr. Martin Luther King on CNN. The speech lasted 17 minutes. No matter how many times I watch the speech, I am so impressed with the message this man delivered. That is why I was stunned today, in getting the Congressional News Briefing, to see what the present President, President Bush, has done to undermine the unity and harmony of our society.

I quote:

Bush Revives House Participation in Confederate Memorial Ceremony. Last Memorial Day, for the second year in a row, Bush's White House sent a floral wreath to the Confederate Memorial. . . . Bush has quietly reinstated a tradition dating back to Woodrow Wilson that his father had halted in 1990. . . . The current Bush White House denies any change in policy. Time adds that one of the

organizations connected to the ceremony is the Sons of Confederate Veterans, whose Chief Aide-de-Camp is Richard T. Hines, a politically active lobbyist from South Carolina. In that State's brutal 2000 Republican primary, Hines reportedly helped finance tens of thousands of letters blasting Bush rival Senator John McCain for failing to support the flying of the Confederate flag over the state capitol.

This repayment of political debt that the President has in South Carolina is certainly something that flies in the face of what America is all about. It certainly flies in the face of what leaders of the administration says they are trying to do.

Yesterday we celebrated a national holiday, the birthday of a great American, Dr. King. This year in particular, with controversy over remarks and votes related to issues of race having affected the Senate itself, it is important that we reflect on the life, legacy, and message of Dr. King and that we assess the Nation's progress in achieving the goals he articulated. Dr. King shared with us his dream for American society, that Blacks, Latinos, Native Americans, and other minorities would have equal opportunity to achieve and to contribute.

We are closer to that place in time because of the efforts and accomplishments of Dr. King and others who made sacrifices and confronted enormous obstacles to make life better, not only for African Americans but all Americans.

America has made strides in improving the status of ethnic and racial minorities, but I am concerned that the policies that the current administration is pursuing would set us back.

Dr. King is one of the main reasons that little girls, young ladies, teenagers, and women in college can participate in athletics. Title IX is civil rights legislation and a direct result of the activities of Dr. King. Is Title IX an affirmative action program? Of course it is. Young women should have the opportunity to participate in athletics just as young men have had. Until we passed a Federal law, an affirmative action law, that was not possible. Now, tens of millions of young women participate in athletics. They have opportunities to build their character as young men have had for hundreds of years. Now women can participate in athletics.

I was disappointed we had to work this week because I was looking forward to watching my granddaughter Savannah play basketball this week. She is good. She leads her team in scoring. I have not been able to watch her play. She is 10 years old, and in her first game she scored 12 of the 22 points her team scored. I was looking forward to watching her play. I am told she is really good. In just a couple of years this little girl will be able to participate in high school athletics, which did not happen in my generation. The only athletics my granddaughters could participate in, if they were my age, and even younger than I, would be cheerleading. Now she can be a bas-

ketball player, soccer player, and participate in track events. That is the way it should be.

We have made great strides in improving the status of minorities, as well as women. That is the way it should be. We must continue to move forward to build on the foundation Dr. King helped establish.

But unfortunately the administration is blocking progress by pursuing policies that limit opportunity. One example is this administration's filing a brief in the Supreme Court opposing the ability of the University of Michigan to have a diverse class of students.

The University of Michigan admissions system is not about quotas. It is about improving the educational experience for all students. This takes into account not only race and ethnic background but many other factors. Athletes and others with talents the school finds desirable are given extra points in the admission process. The administration did not oppose Michigan and other university programs where they give bonuses to alumni, where they give bonuses to athletics. No one opposes that. If you are trying to develop and establish a diverse class of students at a university, they oppose it. This is wrong. Diversity is a good thing, and it does not happen automatically but requires progressive policies. The administration is flat-out wrong to oppose this.

The administration is also wrong in continuing to nominate judges whose records reveal a pattern of insensitivity to racial issues. I have encouraged the President, as have many others, to protect the environment. Apparently though, the only recycling he favors is recycling of rejected and flawed judicial nominees.

What about DC statehood? We have young men and women who live in the District of Columbia, who are now in the Persian Gulf getting ready to go to war—people are being called up, being called upon to put their life on the line for their country—but they cannot vote for a Member of Congress, they do not have their own Senators. We should have statehood. If you are part of a sovereign nation—for example, the Pyramid Lake Piute Tribe in Nevada, they can vote for me, against me, but the District of Columbia does not have that opportunity. Residents of the District of Columbia pay taxes, they serve our country, but they do not have representation in Congress by a Member who has a right to vote on a substantive issue. They have a Member of Congress who only can sit in committees. If this administration feels so strongly about affirmative action, about fairness, diversity, let them come forward and support DC statehood.

And consider the quality of education that children receive. Most minority students in America still attend schools that are predominantly minority. On average, they are in large classes, have older books, receive less challenging lessons, and their teachers

have less training. To continue to improve the quality of education for all Americans, we should raise the standards in our schools. We need the administration to step forward on Leave No Child Behind, and do it by helping to fund the program mandated for schools all over America. Not to take care of unfunded mandates is wrong; the administration should fund those mandates.

Our Nation's efforts to recover from September 11 remind us that we become a stronger America by working together. So we must join together and continue fighting to make sure all Americans enjoy equal opportunities for justice, quality education, and economic prosperity.

In 2003, it is not enough to quote Dr. Martin Luther King, or to say the right thing, or avoid saying the wrong thing. Actions speak louder than words, even words as powerful as Dr. King's. We remember him as an articulate speaker. It was his actions, his nonviolent actions of organizing, educating, motivating, and demonstrating, that achieved results. If we are truly to honor Dr. King, and, more importantly, if we are fully motivated to improve race relations in our great country, if we want America to live up to its democratic ideals and all our people to have equal opportunity, freedom, justice, prosperity, and peace, we must pass civil rights legislation and fund programs that help level the playing field and appoint judges whose records show a commitment to tolerance and fairness.

The record of the Democratic Party is one we can be proud of. It shows a longstanding commitment to civil rights, to fairness. Democrats recognize we must take additional steps to advance civil rights for all Americans. That is why we Democrats in the Senate have a package of civil rights, known as Equal Rights and Equal Dignity for Americans. Our comprehensive legislation includes measures to expand hate crimes protections. Let the Republicans come forward and stop barring us from passing that. We have legislation to strengthen enforcement of existing civil rights laws. Let them move across the aisle and help.

We must support legislation giving legal representation to indigent Americans. We must stop racial profiling. That is what our legislation does. It addresses pay inequities between men and women, protecting individuals against discrimination; it prohibits employment discrimination based on sexual orientation; and our legislation prohibits military and civilian personnel from collecting information about U.S. citizens. We must fully fund election reforms that we passed last year. This is an agenda that is important, it is good, and it should pass.

We ask the Republicans to step forward and help repudiate, condemn, and oppose something as racially motivated, obviously, as that reported in Time magazine, the President's rein-

statement of something that his father stopped because it was wrong—laying a wreath at the Confederate Memorial. It is wrong. We need to speak out against it because it is wrong.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, Senator EDWARDS is here and has an amendment to offer. We told the majority leader on Friday we would be here at 10:30 to offer the amendment. Senator EDWARDS will not offer the amendment until we have someone who is here from the other side, but he is going to start talking about his amendment. We hope that is OK with everyone.

What is the business now before the Senate?

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2003

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.J. Res. 2, which the clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 2) making further continuing appropriations for the fiscal year 2003, and for other purposes.

The PRESIDING OFFICER. The Senator from North Carolina.

#### AMENDMENT NO. 67

Mr. EDWARDS. Mr. President, this morning I will be offering an amendment, together with Senator LIEBERMAN, Senator JEFFORDS, Senator CLINTON, and Senator REID, all of whom have worked very hard on this amendment.

This amendment is about doing a very simple thing: it is about keeping our air clean so that kids won't have asthma attacks and so seniors won't have heart attacks and so Americans won't lose their lives before their time. For months the administration has talked about massive changes in clean air protections and for months Senators on both sides of the aisle have said to the administration: Before you go through with these changes, would you please tell us in detail how these changes are going to affect our families? In other words, would you please look before you leap?

We have been asking that question for months, and for months the administration has refused to answer. On November 22, they went ahead with their

massive changes without telling us how it was going to affect the health of the American people.

I believe the administration does not want to share these facts because they are afraid of what the facts will show. They are afraid people will see what their rule changes will do. When you study these rules, when you listen to the experts, you will see that they will make our air dirtier. These rules will add more soot to our cities and more smog to our national parks. At the end of the day, these rules will allow more kids to get asthma attacks, more seniors to have heart problems which land them in the emergency room, and more people will lose their lives prematurely.

This amendment is a very modest response to these proposed changes. It does not block the rules forever. It does not put them off for years. It just says let's put these rules off for about 6 months and use that time to determine how these changes will affect human health, how they will affect kids with asthma, senior citizens with cardio-respiratory problems. It seems to be a perfectly reasonable thing to do. I hope my colleagues will support the amendment.

We are saying let's get a study from the nonpartisan, completely respected National Academy of Sciences. That is all we are talking about: 6-month delay to look at these changes to see, before they go into effect, what effect they will have on the health of the American people.

The science of pollution is completely clear. Pollution causes heart and lung problems. It aggravates asthma. It causes the smog that ruins the view in our Nation's parks. It causes premature deaths.

According to Abt Associates, a nonpartisan research group, just 51 powerplants are responsible for more than 5,500 deaths every year, for over 106,000 asthma attacks, and for costs to our economy of between \$31 billion and \$49 billion. That is only 51 powerplants. If you did the same study of other industries, the numbers would go up dramatically.

North Carolina has some of the worst pollution in the country. According to Dr. Clay Ballantine, a physician in Asheville in western North Carolina, just living and breathing in western North Carolina costs 1 to 3 years off the average life of a person. The UNC School of Public Health, found that in many of our counties 3 in 10 kids have asthma, which is three times the national average.

Just walking in the Great Smoky Mountains is as bad for your lungs as breathing in many big cities. When the head of the EPA, Christie Todd Whitman, visited the Great Smokies last Fourth of July, she could barely see 15 miles at a place where you used to be able to see 75 to 100 miles. So clean air is a huge priority. It is important for our kids, for seniors, and for our parks.

This administration has made radical changes in the regulations under the